

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

Civil Application No.1527 of 2006

In

Civil Application NO.646 of 2005

In

Second Appeal Stamp No.6544 of 2005

Shri Balkrishna Ganpatrao Jadhav

Applicant

Vs.

Smt. Kamaladevi Balasaheb Rote
and ors.

Respondent

Mr.S.J.Rairkar for applicant.

Mr.V.B.Tapkir for resp.no.1.

CORAM: B.H.MARLAPALLE, J.

April 04, 2007.

P.C.

. Heard Mr.Rairkar, the learned counsel for the
applicant and Mr. Tapkir, the learned counsel for
the respondent no.1.

. Second Appeal under Stamp No.6544 of 2005 was
filed belatedly and, therefore, Civil Application
No.646 of 2005 was filed for condonation of delay.
Though initially Rule was granted in the said
application, it came to be dismissed in default and,
therefore, this application for restoration of Civil
Application No.646 of 2005. As per the office note
this application is beyond time by 325 days.

. Delay condoned subject to payment of costs
quantified at Rs.1000/- and to be remitted to the
Maharashtra State Legal Services Authority within a
period of two weeks from today.

. Civil Application is allowed and Civil
Application No.646 of 2005 is hereby restored to the
file of this Court by setting aside the order of
dismissal in default.

(B.H.MARL